

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PABLO LEYVA,

Defendant.

8:20CR175

ORDER

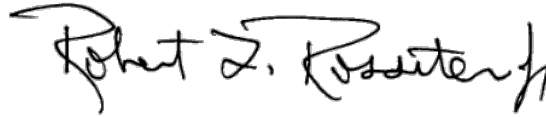
This matter is before the Court on defendant Pablo Leyva's ("Leyva") *pro se* motion "to obtain information about if" he qualifies for relief under the First Step Act of 2018, *see* Pub. L. No. 115-391, 132 Stat. 5194, or Amendment 821 to the United States Sentencing Guidelines (Filing No. 237). Leyva filed that motion the same day as his *pro se* "Motion for Sentence Reduction Under 18 U.S.C. [§] 3582(c)(2) Pursuant to U.S. Sentencing Commission, Amendment 821" (Filing No. 238). With respect to that motion, the Court entered General Order No. 2023-09 (Filing No. 239) appointing counsel to determine whether Leyva qualified for relief under Amendment 821. The Court denied his request once it discerned he was not entitled to that relief (Filing No. 242).

The present motion establishes no further grounds upon which the Court can grant any sentence reduction. *See United States v. Avalos Banderas*, 39 F.4th 1059, 1062 (8th Cir. 2022) (stating the defendant "bears the burden to establish that compassionate release is warranted . . . and the district court is not required to investigate possible avenues for relief"); *see also Pliler v. Ford*, 542 U.S. 225, 231 (2004) (explaining a district court generally has "no obligation to act as counsel or paralegal to *pro se* litigants"). For that reason, Leyva's motion "to obtain information about" potential sentencing relief (Filing No. 237) is denied.

IT IS SO ORDERED.

Dated this 5th day of August 2024.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge